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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANTHONY MITCHELL, *et al.*,

Plaintiffs,

v.

CITY OF HENDERSON, NEVADA, *et al.*,

Defendants.

Case No. 2:13-cv-01154-APG-CWH

ORDER SEALING EXHIBITS

(ECF No. 122)

On February 1, 2017, at the Henderson Defendants'¹ request, I sealed certain documents (ECF Nos. 119-1, 119-2, 119-3, 119-4, 119-6, and 119-7) filed by the plaintiffs. ECF No. 125. Subsequently, the parties stipulated to unseal ECF Nos. 119-1, 119-3, and 119-4. ECF No. 127. The parties could not agree on the remaining documents,² so they submitted supplemental briefs.

The Henderson Defendants settled with the plaintiffs and were dismissed from the case before the plaintiffs filed the subject exhibits. “[C]ourts have recognized the significant interest of non-party employees in keeping their employment files . . . secret. . . . These non-party employees have a strong interest in maintaining the privacy of their personnel files.” *Aevoe Corp. v. AE Tech. Co.*, 2013 WL 5923426, *2 (D. Nev. Nov. 1, 2013) (quotation omitted).

The plaintiffs have not articulated any reasons why the remaining documents are relevant to their defense against the motion for summary judgment filed by the City of North Las Vegas (NLV). The documents—created by the Henderson Defendants and about the Henderson Defendants—appear to be inadmissible and immaterial to the plaintiffs’ response to NLV’s

¹ The Henderson Defendants are City of Henderson, Nevada, Angela Walter, and Christopher Worley.

² The remaining documents are: (1) a Henderson Police Department Administrative Report (ECF No. 119-2); (2) a Henderson Police Department “Pre-Disciplinary Hearing” Memorandum dated November 7, 2011 (ECF No. 119-6); and (3) an internal email dated October 18, 2012 from James White to Jackie Brooks produced by the Henderson Defendants (ECF No. 119-7).

1 motion. Thus, the filing of those documents appears to be simply an effort to gratify the
2 plaintiffs' private spite. Thus, compelling reasons exist to seal those exhibits. *See Kamakana v.*
3 *City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). The non-parties' privacy
4 interest outweighs the public's right to access those documents. Should the plaintiffs be able to
5 articulate the relevance of these documents sometime in the future, I may reconsider.

6 IT IS HEREBY ORDERED that the Henderson Defendants' motion to seal (**ECF No.**
7 **122**) is **GRANTED IN PART**. **ECF Nos. 119-2, 119-6, and 119-7 shall remain sealed.** The
8 Henderson Defendants will file redacted version of ECF Nos. 119-6 and 119-7 (as redacted in
9 ECF Nos. 128-4 and 128-5) to replace those exhibits.

10 DATED this 2nd day of May, 2017.



11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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